

REMARKS/ARGUMENT

Applicant responds herein to the Office Action dated April 22, 2002.

Responsive to the rejection of claims 2, 4 and 21 under 35 U.S.C. §112, second paragraph, it is believed that the amendments to claims 23 and 21 as set forth herein are fully responsive to the noted grounds of rejection. Therefore, the Examiner is respectfully requested to reconsider and rescind the §112 rejections.

Substantively, claims 5, 6, 23, 25 and 26 stand rejected on grounds of obviousness over Ogiyu (JP 62-40413) in view of Ueda (JP 59-129050), as set forth in a prior Office Action. The Examiner is further rejecting claims 2-4 and 24; claims 7-9, 13 and 15; and claim 14, all on grounds of obviousness and all on the basis of the prior Office Action (Paper No. 11).

In the section "Response to Arguments", in paragraph 9 of the Office Action, the Examiner asserts that: "Inasmuch as claim 23 contains none of the limitations relied upon in applicants' arguments, such arguments are irrelevant." However, as amended, claim 23 does contain distinguishing limitations and, therefore, the applicant reiterates that claim 23 and, necessarily, all the claims dependent thereon distinguish over the prior art.

For completeness, however, applicants respectfully assert that none of the references that are of record in the Office Action provide a hermetically sealed unit composed of a plurality of airtight partition members which are hermetically joined to one another as in the present invention.

In independent claim 23, as amended, a "hermetically sealed unit" is recited. However, the Ogiyu prior art does not disclose any such component as a hermetically sealed unit composed of a plurality of airtight partition members which are hermetically joined to one another. Besides, Ogiyu does not teach that such a component is constructed so as to withstand a second sealing level higher than the first sealing level of the outer casing, to thereby hinder, retard or prevent the high-pressure, high-temperature steam that might invade the outer casing during autoclaving from invading the interior of the hermetically sealed unit.



Similarly, Ueda does not disclose the hermetically sealed unit composed of a plurality of airtight partition members which hermetically join to one another, as recited in amended claim 23.

Thus, even if Ueda would have taught to provide an airtight casing to the endoscope body in a waterproof structure, that reference would still not have provided the feature of hermetically joining to one another a plurality of airtight partition members as the constituent of such an airtight casing.

Also, although sealing agents or sealing adhesive may be used in Ueda as means to provide the airtight casing to the endoscope body that has a waterproof structure (if it is possible to do so), Ueda fails as a reference because “waterproof” and “airtight” are not defined in sufficient detail in this reference as to be able to distinguish or discriminate between them. In other words, Ueda does not refer to the airtight casing in the endoscope body which is formed at a sealing level higher than the sealing level of the endoscope body.

The foregoing comments are, of course, applicable to claim 23 and all of its dependent claims, including newly presented claims 27 and 28.

In addition, and relative to newly presented independent claim 29, the comments made above relative to claim 23 with respect to the two mentioned references are applicable to that claim as well. That is to say, Ogiyu does not disclose the component being constituted as a hermetically sealed unit composed of a plurality of airtight partition members which are hermetically joined to one another. Also, Ogiyu does not provide the second sealing means to provide the component with a second sealing level higher than first sealing level provided by the first sealing means, to hinder or otherwise prevent the high-pressure, high-temperature steam invading through the outer casing during autoclaving from invading the interior space of the hermetically sealed unit.

Thus, neither Ogiyu or Ueda provide the hermetically sealed unit composed of a plurality of airtight partition members which are hermetically joined to one another, as in the claims herein.

Ultimately, the applicant intends the foregoing remarks to be commensurate with no more than what is explicitly recited in the claims. It is believed that the language of the claims, and



that language alone, suffices to distinguish over the prior art without regard to the foregoing remarks which are being provided solely in order to facilitate understanding and underscore the points of novelty and unobviousness of the present invention of the prior art.

Inasmuch as applicants believe that all of the points raised in the Office Action have been fully responded to and since the applicants have not raised any new issues in the present communication, the Examiner is respectfully requested to reconsider the application, allow the claims, as amended, and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on July 19, 2002

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Name of applicant, assignee or
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Signature

July 19, 2002

Date of Signature

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Respectfully submitted,

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